

<b>FILING BY "EXPRESS MAIL" UNDER 37 CFR 1.10</b> <b>EV4P5023632US</b> <small>Express Mail Label Number</small>	
<span style="float: right;"><i>HJ</i></span> <b>11/2/04</b> <small>Date of Deposit</small>	

Form PTO-1390-MOD (REV 10-96)		U. S. Department of Commerce Patent and Trademark Office	
<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371</b>		<b>ATTORNEY'S DOCKET NUMBER</b> <b>PC/4-32456A</b> <b>U.S. APPLICATION NO. (If known, see 37 CFR 1.5)</b> <b>60/510,927</b>	
INTERNATIONAL APPLICATION NO. <b>PCT/EP 03/03864</b>	INTERNATIONAL FILING DATE <b>14 April 2003 (14.04.03)</b>	PRIORITY DATE CLAIMED <b>15 April 2002 (15.04.02)</b>	
<b>TITLE OF INVENTION</b> <b>CRYSTAL FORMS OF N- (TRANS-4-ISOPROPYLCYCLOHEXYLCARBONYL) -D-PHENYLALANINE</b>			
<b>APPLICANT(S) FOR DO/EO/US</b> <b>PAUL ALLEN SUTTON</b>			

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1.  This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2.  This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3.  This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4.  A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5.  A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a.  is transmitted herewith (required only if not transmitted by the International Bureau).
  - b.  has been transmitted by the International Bureau.
  - c.  is not required, as the application was filed in the United States Receiving Office (RO/US).
6.  A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7.  Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)).
  - a.  are transmitted herewith (required only if not transmitted by the International Bureau).
  - b.  have been transmitted by the International Bureau.
  - c.  have not been made; however, the time limit for making such amendments has NOT expired.
  - d.  have not been made and will not be made.
8.  A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9.  An executed Declaration and Power of Attorney (original or copy) (35 U.S.C. 371(c)(4)).
10.  A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

**Items 11. to 16. below concern document(s) or information included.**

11.  An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12.  An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13.  A **FIRST** preliminary amendment.  
 A **SECOND** or **SUBSEQUENT** preliminary amendment.
14.  A substitute specification.
15.  A change of power of attorney and/or address letter.
16.  Other items or information:

Rec'd PCT/PTO 02 NOV 2004

10/510927

X3

U.S. APPLICATION NO. (if known, see 37 CFR 1.5)

INTERNATIONAL APPLICATION NO.  
PCT/ EP 03/03864ATTORNEY'S DOCKET NUMBER  
PC/4-32456A17.  The following fees are submitted:**BASIC NATIONAL FEE (37 CFR 1.492(a) (1)-(5)):**

Search Report has been prepared by the EPO or JPO .....	\$950
International preliminary examination fee paid to USPTO (37 CFR 1.482) .....	\$750
No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2)).....	\$790
Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO.....	\$1,110
International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4). ....	\$100

**CALCULATIONS PTO USE ONLY****ENTER APPROPRIATE BASIC FEE AMOUNT =**

Surcharge of **\$130** for furnishing the oath of declaration later than  20  30 months from the earliest claimed priority date (37 CFR 1.492(e)).

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE
Total claims	0	- 20 =	X \$ 18 \$
Independent claims	0	- 3 =	X \$ 88 \$
MULTIPLE DEPENDENT CLAIM(S) (if applicable)		+ \$	300 \$

**TOTAL OF ABOVE CALCULATIONS =** **\$ 130**

Reduction of 1/2 for filing by small entity, if applicable. Verified Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28).

**SUBTOTAL =** **\$ 130**

Processing fee of **\$130** for furnishing the English translation later than  20  30 months from the earliest claimed priority date (37 CFR 1.492(f)).

**TOTAL NATIONAL FEE =** **\$ 130**

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). **\$40** per property

**TOTAL FEES ENCLOSED =** **\$ 130**

Amount to be:	\$
refunded	
charged	\$

- a.  A check in the amount of \$ \_\_\_\_\_ to cover the above fees is enclosed.
- b.  Please charge Deposit Account No. 19-0134 in the name of Novartis in the amount of \$130 to cover the above fees. Two duplicate copies of this form are enclosed.
- c.  The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 19-0134 in the name of Novartis.

**NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.**

Send all correspondence to the address associated with Customer No. 001095, which is currently:

Novartis  
Corporate Intellectual Property  
One Health Plaza, Building 104  
East Hanover, NJ 07936-1080

  
 Gregory D. Ferraro  
Attorney for Applicant  
Reg. No. 36,134  
(862) 778-7831

11/05/2004 SMAJARRO 00000069 190134 10510927

01 FC:1617 130.00 DA